



**State of New Hampshire**  
**DEPARTMENT OF ADMINISTRATIVE SERVICES**  
Division of Personnel  
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**STATE OF NEW HAMPSHIRE**  
**RESPECT AND CIVILITY IN THE WORKPLACE**  
**STANDARD OPERATING PROCEDURE**

**1. RELATED POLICY:** Respect and Civility in the Workplace

**2. PURPOSE**

2.1. The following standard operating procedure (SOP) describes the actions employees, supervisors and managers shall take when addressing a complaint of disrespectful or uncivil behavior in the workplace.

**3. SCOPE**

3.1. This SOP applies to all Executive Branch employees and State officials, whether classified, unclassified or non-classified, and including Executive Branch board and commission members and volunteers.

**4. PROCEDURE**

**4.1. For the complainant:**

4.1.1. Employees are encouraged as a first step to talk with the individual(s) involved to resolve the issue.

4.1.2. Employees who are unable or unwilling to talk with the individual(s) directly, or if attempts to do so were ineffective, have the following options for seeking help:

4.1.2.1. Employees can notify their supervisor of the issue, verbally or in writing.

4.1.2.2. Employees who are not comfortable going to their supervisor with a complaint, can notify someone in their chain of command. Whenever possible, start with the lowest level supervisor first before going further up the chain.

4.1.2.3. Employees who are not comfortable notifying someone in their chain of command, can notify their agency Human Resources (HR) office. An HR representative will consult with the appropriate individuals to determine how to proceed.

4.1.2.4. Employees who are not comfortable notifying their agency HR office, can notify the Department of Administrative Services, Division of Personnel (DOP). A DOP representative will consult with the appropriate individuals to determine how to proceed.

4.1.3. Employees may contact the Employee Assistance Program (EAP) for support or guidance.

#### 4.2. For supervisors:

4.2.1. Upon receiving a complaint, talk promptly with the complainant about the issue:

- 4.2.1.1. Acknowledge that the complaint will be taken seriously.
- 4.2.1.2. Gain an understanding of the facts from the complainant.
- 4.2.1.3. Identify others you may need to talk with, including any witnesses.
- 4.2.1.4. If the complainant seeks confidentiality, explain that under the Respect and Civility in the Workplace Policy, you have a responsibility to take action to resolve the behavior, which may include talking with other individuals involved.
- 4.2.1.5. Discuss the prohibition on retaliation.

4.2.2. **Immediately** ask yourself these questions:

- 4.2.2.1. Could the complaint violate the Sexual Harassment Policy <https://das.nh.gov/hr/sxharas.html> or potentially involve discrimination based on state or federally protected classes <https://www.gencourt.state.nh.us/rsa/html/xxxi/354-a/354-a-mrg.htm>
  - 4.2.2.1.1. If yes, contact the agency HR office immediately. They will refer the complaint to the DOP to determine whether an investigation is necessary.
  - 4.2.2.1.2. If no, continue to the next question.
- 4.2.2.2. Does the nature of the behavior require immediate action to ensure the safety of employees or prevent damage to property?
  - 4.2.2.2.1. If yes, consult with the agency HR office immediately. HR will discuss potential safety measures with the supervisor or manager, including but not limited to reassignment or leave pending an investigation.
  - 4.2.2.2.2. If no, continue to the next question.
- 4.2.2.3. Is there a possibility that the complaint could lead to disciplinary action?
  - 4.2.2.3.1. If yes, contact the agency HR office to determine whether disciplinary action or an investigation is needed.
  - 4.2.2.3.2. If no, continue to the next question.
- 4.2.2.4. Does the complaint involve an employee who does not report to you?
  - 4.2.2.4.1. If yes, contact the employee's direct supervisor.
  - 4.2.2.4.2. If no, continue to the next question.
- 4.2.2.5. Can you address the issue using your routine management practices\*?
  - 4.2.2.5.1. If yes, continue to the next step.
  - 4.2.2.5.2. If no, consult with management or the agency HR office to determine next steps.

\* Routine management practices are the actions you take on a regular basis when supervising your staff.

4.2.3. Talk with those involved:

- 4.2.3.1. Gather facts to fully understand the issue.
- 4.2.3.2. Notify all individuals involved in the issue that retaliation is prohibited.
- 4.2.3.3. If additional information is discovered, review the list of questions again.

4.2.4. Address the issue:

- 4.2.4.1. Take appropriate action (i.e., corrective feedback, coaching, verbal warning, letter of counsel, changes in job duties or locations, referral to training and EAP referrals).
- 4.2.4.2. In the event that disciplinary action is warranted (written warning withholding salary increment, disciplinary suspension without pay, disciplinary demotion, dismissal), consult with the agency HR office before taking action (see 4.2.3)